

72155-39

1/12/2009

1 of 12



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 12 2009

Charles W. Boyd
Registrations Manager
Bayer Advanced
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 2008-1

Dear Mr. Boyd:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated December 16, 2008 for:

EPA Registration 72155-39

Tempo Concentrate Insecticide

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and 2008-1 and finds that the label changes requested falls within the scope of PR Notice 2007-4 and 2008-1. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



Please read instructions on reverse before completing form.

2012014
Form Approved. OMB No. 2070-0060

 United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 72155-39	2. EPA Product Manager Kimberly Nesci	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tempo Concentrate Insecticide	PM# 11	
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced 2 T.W. Alexander Drive Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <div style="text-align: center;">NOTIFICATION</div> EPA Reg. No. _____ <div style="text-align: center; font-size: 1.2em;">JAN 15 2009</div> Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

See Attached

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 16, 32, or 40 Fl. oz.		5. Location of Label Directions <input type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product				<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Other Integ _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Charles W. Boyd	Title Registrations Manager	Telephone No. (Include Area Code) (919) 549-2422
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Registrations Manager	
4. Typed Name Charles W. Boyd	5. Date December 16, 2008	

4012

(Front Panel)

Tempo Concentrate Insecticide

For Use On: Lawns, Ground Covers, Flowers, Shrubs, Trees, Around Homes

Measure-Up™ Cup
Exact Measure Every Time

CONCENTRATE

KILLS INSECTS

RAINPROOF WITHIN 1 HOUR OF APPLICATION

- Just One Application Quickly Kills Insects
 - Keeps on Killing for up to 14 days
 - Kills over 60 Different Outdoor Insects
 - Treats 5,333 sq ft (For Lawns)
 - Effective Home/Yard Barrier Treatment
 - Contains Tempo®
- DOUBLE PROTECTION FORMULA**
- Fast Acting...Kills on Contact
 - Long Lasting...Keeps on Killing for up to 14 days
 - Kills on contact plus protects for weeks
 - Also kills fleas, ticks & 58 other nuisance pests
 - TEMPO Concentrate Insecticide kills mosquitoes and other nuisance pests on contact and keeps protecting for weeks in a single application. No mixing and measuring hassles. No messy cleanup. Controlling annoying outdoor insects around your home has never been easier.
 - Protects home lawns, fruits & nuts, vegetables, houseplants, roses, flowers, trees & shrubs.
 - Kills [controls] ants, aphids, chinch bugs, cutworms, fleas, mites, mosquitoes, sod webworms and many other listed insects
 - Kills & Repels bugs in your backyard [yard]!
 - Kills and repels mosquitoes
 - Kills bugs fast
 - Controls [Kills] ants, aphids, chinch bugs, cutworms, fire ants, fleas, beetles, grubs, mites, sod webworms and many other listed insects (others listed)
 - Kills & Repels mosquitoes, flies, ants, fleas, ticks (including those which may transmit Lyme Disease), and other annoying pests!
 - Keeps killing for weeks
 - Kills ants, fleas, bagworms, grasshoppers, mole crickets, chinch bugs, sod webworms, crickets, aphids, mosquitoes, and other listed insects
- Just One Application Quickly Kills Insects
 - Kills many troublesome outdoor insects which destroy lawns, roses, flowers, trees and shrubs, or annoy people or pets
 - Keeps on Killing for up to 14 Days
 - Kills Over 60 Different Outdoor Insects
 - Kills up to 70 insects [pests as listed]
 - Fast Acting...Kills on Contact
 - Long Lasting
 - Works in Hours
 - Quickly Stops Harmful Insects before they do damage
 - Effective Against a Broad Range of Listed Pests
 - Kills Pests Outdoors Before They Come Indoors
 - Helps protect your [house] [home] from invading insects [ants]
- Keeps annoying insects away
 - Protects your yard all weekend long
 - Won't wash away [in rain]
 - Do-it-yourself pest control
 - Just connect to your [garden] hose and spray
 - Low odor
 - For use around foundations, outside buildings, porches, wood piles, wooden fences and decks [patios]
 - For Use On: Lawns, Ground Covers, Flowers, Shrubs, Trees, Vegetables, Around Homes
 - For Use Outdoors on lawns, Shrubs, Trees, and in Flower or Vegetable Gardens
 - Ready-To-Spray [Concentrate]
 - Effective Home Barrier Treatment
 - Creates a barrier around your home
 - Ready-To-Spray...No Mixing, No Measuring (RTS)
 - Apply with Most Common Garden Sprayers
 - Rainproof in 1 hour
 - Rainproof within 1 hour of Application
 - Protects house lawns, flowers, shrubs, and trees
 - Water Based
 - Satisfaction guaranteed or your money back
 - Long Lasting – Non stop protection
 - 100% Satisfaction Guaranteed
 - This product kills outdoor pests on contact. Keeping your yard and garden free of listed nuisance pests has never been easier.
- [1/2 fl oz size only]
- Single dose packages
 - Concentrate makes 1 gallon (each tube)
 - Guaranteed Results
 - Use on lawns, flowers, shrubs, & Vegetables

ACTIVE INGREDIENT:
 Cyfluthrin 0.75%

OTHER INGREDIENTS.....99.25%

Net Contents: 16 fl oz or 32 fl oz or 40 fl oz

NOTIFICATION
JAN 15 2009

QUICK FACTS

Quickly Stops Harmful Insects Before They Do Damage
 Kills on contact and keeps on protecting
 Effective Against a Broad Range of Listed Pests
 Kills Pests Outdoors Before They Come Inside
 Ready to Spray...No Mixing, no Measuring (RTS)
 Easy, Accurate Measuring & Mixing (Concentrate)
 Apply with most Common Garden Sprayers

KILLS	(ART: ant, flea, spider, tick)	
	Ants Aphids Armyworms Aster leafhoppers Bagworms Banded sunflower moths Bluegrass billbug (adults) Boxelder bugs Budmoths Cabbage loopers Carrot weevils (adults) Caterpillars Celery leaf tiers Chiggers Chinch bugs Clover mites Cockroaches Colorado potato beetles Corn borers Corn earworms Corn rootworms (adults) Crickets Cutworms Earwigs Elm leaf beetles Fire ants Flea beetles Fleas Flies Garden webworms Grasshoppers Gypsy Moth Larvae Head clipper weevils (adults) Hyperodes weevil (adults)	Japanese beetles (adults) Lace bugs Leaf Beetles Leaf-feeding beetles Leaf-feeding caterpillars Leafhoppers (including Glassy-winged Sharpshooter) Leafminers Mealybugs Midges Mole Crickets Mosquitoes Pepper weevils (adults) Pillbugs Plant bugs Potato aphids Potato leafhoppers Roaches Scale (crawler stages) Seed weevils (adults) Sod Webworms Sowbugs Spiders Spittlebugs Stem weevil (adults) Stink bugs Sunflower beetles Sunflower moths Thrips Ticks (including deer ticks) Tomato Fruitworms Tomato Hornworms Tomato Pinworms Wasps Weevils (adults) Western Flower THrips Whiteflies
COVERAGE	Makes up to 64 gallons of spray (32 oz) (For Ornamental Application) Covers 5,333 sq ft (Lawn Application)	
WHERE TO USE	Lawns, Ground Covers, Flowers, Shrubs, Trees, Vegetables, Around Homes	
WHEN TO USE	When insects or damage first appear	
HOW MUCH TO USE	Dilute ½ oz (1 Tablespoon) per gallon of water (Ornamental) No measuring needed. Dilutes automatically (Lawn)	
	For questions or comments, call toll-free 1-877-BayerAG (1-877-229-3724)	

600K

EPA Est. No. XXXX-AA-1

ACTIVE INGREDIENT:

Cyfluthrin..... 0.75 %

OTHER INGREDIENTS..... 99.25 %

100.00 %

Cyfluthrin is the chemical name for Tempo®

EPA Reg. No. 72155-39

EPA Est. No. XXXX-AA-1

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

Caution

Harmful if swallowed or inhaled

- Causes eye irritation
- Avoid contact with skin, eyes, or clothing.
- Wash thoroughly with soap and water after handling.
- Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with this insecticide

First Aid +

If Inhaled	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
If in eyes	Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
If swallowed	Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-229-3763 for emergency medical treatment information	

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DIRECTIONS FOR USE	
It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For best results, read and follow all label directions.	
BEFORE YOU USE Read and follow these directions when using:	<ul style="list-style-type: none"> • Apply the product to flowering plants during early morning or late evening, when bees are not present. • Do not spray the product into fish pools, ponds, streams, or lakes. • Remove animal feeding dishes prior to application. Keep children and pets away from treated areas until spray has dried.
WHEN TO USE	Spray when insects or damage first appear. For severe infestations, repeat every 7 to 14 days as necessary.
HOW TO USE Shake well before using	[For ½ oz size only.] Remove one applicator tube from the package. Hold the applicator tube in an upright position. Pull the cap off the tube. Turn the cap around and place the other end of the cap back on the tube. Twist the cap to break the seal, then remove the cap from the tube. Mix with water to make 1 gallon of finished spray. Discard the empty tube as described in the Storage and Disposal.
MIXING & MEASURING	SEE SPRAYER TYPES
HOW MUCH TO USE	Dilute ½ oz (1 Tbs) per gallon of water (ART)
HOW TO SPRAY	Adjust nozzle on your sprayer to desired spray pattern. Hold sprayer about 12 inches from foliage. Spray leaves and tender new shoots. <div style="text-align: center;"> c c c c c c ART: of steps above </div> To kill insects that may hide, spray the underside of the leaves. Apply until leaves are evenly coated with spray, but not dripping. <div style="text-align: center;"> c c c c c c ART: spraying undersides of leaves </div>

<p>VEGETABLES</p> <p>No waiting. You may spray up to day of harvest. Do not spray more than 5 times per year.</p>	
Carrots	Sweet Corn
Radishes	Tomatoes
<p>PEST</p>	
<p>Aphids Armyworms Aster leafhoppers Cabbage loopers Carrot weevils (adults) Chinch bugs Colorado potato beetles Corn borers Corn earworms Corn rootworm (adults) Cutworms</p>	<p>Flea beetles Grasshoppers Leafhoppers Leafminers Potato aphids Stink bugs Thrips Tomato fruitworms Tomato hornworms Tomato pinworms Weevils (adults) Western Flower Thrips</p>
<p>HOW TO APPLY</p> <p>Spray foliage, tender new shoots and the underside of leaves thoroughly. To Kill insects that hide, spray the underside of the leaves. Apply until leaves are evenly coated with spray droplets, but not dripping.</p>	
<p>ART</p>	
<p>Peppers</p> <p>After spraying, wait 7 days before harvest. Do not spray more than 6 times per season.</p>	
<p>PEST</p>	
<p>Armyworms Cabbage loopers Celery leaf tiers Corn borers Corn earworms Garden webworms</p>	<p>Leafhoppers (including Glassy-winged Sharpshooter) Leafminers Pepper weevils (adults) Potato leafhoppers Thrips Weevils (adults)</p>
<p>Sunflowers</p> <p>After spraying, wait 30 days before harvest. Do not spray more than 3 times per season.</p>	
<p>PEST</p>	
<p>Banded sunflower moths Budmoths Cutworms Grasshoppers Head clipper weevils (adults) Leafhoppers (including Glassy-winged Sharpshooter)</p>	<p>Midges Seed weevils (adults) Stem weevils (adults) Sunflower beetles Sunflower moths Weevils (adults)</p>

FLOWERS, TREES, SHRUBS, GROUND COVERS		
PEST		
Aphids Bagworms Boxelder bugs Clover mites Elm leaf beetles Grasshoppers Gypsy moth larvae	Japanese beetle (adults) Lace bugs Leaf-feeding caterpillars Leaf-feeding beetles Leafhoppers (Including Glassy-winged Sharpshooter)	Mealybugs Pillbugs Scale (crawler stages) Spittlebugs Thrips Whiteflies
HOW TO APPLY		
<p>Spray foliage, tender new shoots and the underside of leaves thoroughly. To Kill insects that hide, spray the underside of the leaves. Apply until leaves are evenly coated with spray droplets, but not dripping.</p> <p>ART</p>		

HOUSEHOLD NUISANCE PESTS OUTDOORS		
PEST		
Ants Boxelder bugs Clover mites Cockroaches Crickets	Earwigs Flies Midges Mosquitoes	Pillbugs Sowbugs Spiders Wasps
HOW TO APPLY		
<p>Spray thoroughly beneath shrubs, around house foundation and in nearby tall grass or weeds. Cover evenly.</p> <p>ART</p> <p>Adjust spray nozzle to a coarse spray to reach down into tall grass. 1 gallon of spray treats 1,000 sq. ft. of ground.</p> <p>ART</p>		

LAWN PESTS (3 fl. oz. per gallon of water (covers 500 sq. ft.))	
PEST	
Ants Armyworms Bluegrass Billbugs (adults) Chiggers Chinch bugs Crickets Cutworms Earwigs	Fire Ants Fleas Grasshoppers Hyperodes weevils (adults) Japanese Beetles (adults) Mole Crickets Sod webworms (lawn moths) Ticks (including deer ticks)
HOW TO APPLY	
<p>Use a hose-end sprayer according to sprayer directions. The goal is to have large droplets and enough spray to penetrate the lawn and reach the soil. Do not mow for one day after application.</p>	

	Children and pets may re-enter the treated area after spray has dried.
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[Ready-to-Spray package only]

This product is ready to spray. Just attach this bottle to your hose according to directions. Water automatically mixes with the concentrate as you spray.

HOW TO ATTACH & SPRAY	
<p>1. Connect your garden hose to the bottle. Be sure the (color inserted here) water control valve on top of the spray nozzle is in the OFF position.</p> <p>ART</p>	<p>2. Turn on the water at faucet. Twist the small, star-shaped, (color inserted here) product-control button to align the flat portion with the lock tab. Push the button in to open. Be certain to choose the setting below which describes your use area. (See below)</p> <p>ART</p>
<p>For Use On Lawn Pests: Turn on water at faucet. Pull the small star-shaped, (color inserted here) product-control button out until it stops. Twist the (color inserted here) product control button so that the "L" on the product-control button is at the top of the control valve AND the product control valve is aligned with the flat portion of the lock tab. Push the button in to open. Proceed to step #3/</p>	<p>For All Other Uses: Turn on water at faucet. Pull the small star-shaped, (color inserted here) product-control button out until it stops. Twist the (color inserted here) product-control button so that the "G" on the product-control button is at the top of the control valve AND the product control valve is aligned with the flat portion of the lock tab. Push the button in to open. Proceed to step #3.</p>
<p>3. To begin spraying, point nozzle toward the area to be treated and turn the (Color) water control valve to the ON position. Tab will be horizontal.</p> <p>(ART)</p>	<p>4. To stop spraying, turn the (color) water control valve on top of the spray nozzle to OFF. TO close, push in the small round button opposite the star-shaped product-control button. Turn off faucet.</p> <p>(ART)</p>

TIPS FOR APPLYING	
<p>1. Extend hose to the farthest area to be treated and work back toward the faucet to avoid walking into wet, treated area.</p> <p>(ART)</p>	<p>2. Walk at a steady pace while spraying, using an even sweeping motion, slightly overlapping the treated areas.</p> <p>(ART)</p>

[Concentrate package only]

SPRAYER TYPES

(ART: ICON OF PUMP TYPE)
For Pump Style Tank Sprayer:
<u>To make one gallon of spray:</u>
<ol style="list-style-type: none"> 1. Open flip-top lid 2. Gently squeeze bottle until concentrate reaches ½ oz. fill line. 3. Dilute with 1 gallon of water 4. Close sprayer and shake well before applying.

(ART: ICON OF DIAL TYPE)

For Dial-Style Hose-End Sprayers:

Dilution rate: 1/2 oz per gallon (1 tablespoon = 1/2 oz)

1. Fill sprayer jar with enough concentrate to cover area to be treated.
2. Close sprayer and set dial.
3. Attach sprayer to hose and apply.
4. To avoid contact with the treated area, begin by spraying area farthest from faucet walking backwards as you spray.

OR

Fill sprayer jar with enough concentrate to cover area to be treated and follow sprayer label directions for applying.

(ART: ICON OF Concentrate Plus Water Hose End TYPE)

For Concentrate-Plus-Water Hose-End Sprayers:

Dilution rate: 1/2 oz per gallon (1 tablespoon = 1/2 oz)

1. Pour concentrate into sprayer jar to the required fluid ounce level.
2. Add the appropriate amount of water to the gallons level.
3. Replace sprayer top and shake well before applying.
4. To avoid contact with the treated area, begin by spraying area farthest from faucet walking backwards as you spray.

OR

Pour concentrated into sprayer jar to the required fluid ounce level and follow sprayer label directions for applying.

FOR BEST RESULTS

Do not water the foliage within one hour after applying. To avoid serious damage to plants, eliminate pests early in the season before they multiply.

(ART: ICON OF PUMP TYPE)

For Pump Style Tank Sprayer:

To make one gallon of spray:

5. Open flip-top lid
6. Gently squeeze bottle until concentrate reaches 1/2 oz. fill line.
7. Dilute with 1 gallon of water
8. Close sprayer and shake well before applying.

(ART: ICON OF DIAL TYPE)

For Dial-Style Hose-End Sprayers:


Dilution rate: 1/2 oz per gallon (1 tablespoon = 1/2 oz)

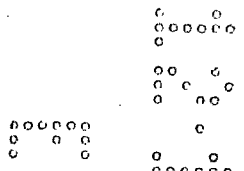
5. Fill sprayer jar with enough concentrate to cover area to be treated.
6. Close sprayer and set dial.
7. Attach sprayer to hose and apply.
8. To avoid contact with the treated area, begin by spraying area farthest from faucet walking backwards as you spray.

OR

Fill sprayer jar with enough concentrate to cover area to be treated and follow sprayer label directions for applying.

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Important – Directions for Storage and Disposal	
Storage Conditions	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet.
Disposal 	If empty: Non-refillable container. Do not refill or reuse container. Place empty container in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or toll free 1-877-229-3724 [1-800 CLEAN-UP] for disposal instructions. Never place unused product down any indoor or outdoor drain.
NOTICE	
Research and testing have determined that the "Directions for Use" are appropriate for the proper use of TEMPO Concentrate Insecticide under expected conditions. The Buyer assumes responsibility for lack of performance or safety if not used according to the directions.	
Money back Guarantee: If you are not satisfied with this product, we will gladly refund your original purchase price.	

Label text for 1/2 fl oz tube:	
For Concentrate-Plus-Water Hose-End Sprayers:	
Active Ingredient: cyfluthrin, 0.75%	
EPA Reg. No. 72155-39	
CAUTION Keep out of Reach of Children See package for precautionary statements and directions for use	

Environmental Hazards	
<ul style="list-style-type: none"> • This pesticide is toxic to fish and other aquatic organisms. • This pesticide is highly toxic to bees. Do not apply TEMPO 0.75% Concentrate Insecticide when bees are active. • To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. 	

NOTIFICATION

JAN 15 2009



A Business Unit of Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709

Tempo Concentrate Insecticide (MASTER) Approved 01/05/05, Notification Submitted 08/11/05, Notification 12/08/05, Notification 08/28/06, Notification 12/12/08